

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN THE MATTER OF:

Dannie and Carol Banks

Case No. 17-41836  
Judge Mark A. Randon  
Chapter 13

Debtor(s) /

**SECOND APPLICATION FOR ADDITIONAL FEES  
FROM DEBTOR'S ESTATE  
PURSUANT TO RULE 2016-1**

NOW COMES counsel for Debtor(s), JOHN A. STEINBERGER & ASSOCIATES, P.C., pursuant to LBR 2016-1, and requests that he be awarded additional compensation from the estate of the Debtor, for the following reasons:

1. The amount of the fee requested is \$796.50 and the amount of expenses requested is \$0.00 and the balance of any retainer on deposit with the applicant is \$0.00.
2. The time period for which an award is sought is September 9, 2017 to April 9, 2022.
3. The services rendered were for: Communication and consultation regarding purchasing car, Debtor-husband retirement, payoff of bankruptcy. Reviewed pleadings and communication from Trustee and creditors and responded as necessary.
  - a. This case required significantly more work than the average Chapter 13 case as it has required counsel to review multiple notices regarding payment change from the mortgage company as well as advising the client about paying off their case.
4. There was no adversary pleading or state or other federal litigation involved in this case.
5. Debtor(s) Plan in this matter was confirmed on August 5, 2017 and is still open.
  - c. There is no impact of this application on the plan.

6. This law firm will continue to represent the Debtor in this Chapter 13 case and perform services as needed.
7. There are no unpaid administrative expenses other than these attorney fees.
8. There are no instances in which an award is sought from more than one professional or paraprofessional doing the same work.
9. The total amount of fees previously approved is **\$5,006.00** and expenses **\$0.00**.  
The following prior applications were filed:
  10. The Debtor was given opportunity to review this application seven (7) days prior to its filing pursuant to Local Bankruptcy Rule. A copy of the application was mailed on April 12, 2022.
  11. Attached as Exhibits are the proposed Order Granting Attorney Fees, copy of 2016(b) statement approving employment of the application, summary statement of hours per professional and biographical statements. The Blended Rate is **\$243.62**.
12. In addition:
  - a. Subsequent to confirmation, the Debtor(s) requested and required additional legal assistance from the undersigned as set forth in the attached time records.
  - b. The source of compensation to be paid is from Debtor's payments to the Trustee. If none, then payments shall be made directly by debtor.
  - c. There is no agreement to share compensation.

Dated: April 12, 2022

  
*Noel Aaron Cimmino*

/s/  
Noel Aaron Cimmino (P61176)  
**John A. Steinberger & Associates, P.C.**  
17515 W. 9 Mile Rd. Ste 420  
Southfield, MI 48075  
(248) 559-4055  
noel@steinbergerlaw.com

# John A. Steinberger & Associates, P.C.

Attorneys and Counselors at Law  
 17515 West Nine Mile, Suite 420  
 Southfield, Michigan 48075

**Invoice to:**

Dannie and Carol Banks  
 5567 Bishop  
 Detroit, MI 48224

**INVOICE DETAIL**

April 12, 2022

Bill Date	Staff	Desc	Total Dur	Rate/Price	Gross
<b><i>Case Administration</i></b>					
9/12/2017	NAC	Call from client. Needs me to call insurance adjuster.	0.10	255.00	25.50
9/13/2017	CSN	Review of client's Garnishment information	0.10	90.00	9.00
9/14/2017	NAC	Call from client about getting a new car	0.10	255.00	25.50
3/22/2018	JAS	Reviewed email from trustee's office, with attached Periodic Report of case.	0.10	300.00	30.00
3/11/2019	JAS	Reviewed email from trustee's office with attached Periodic Report of case.	0.10	300.00	30.00
3/9/2020	JAS	Reviewed email from trustee's office with attached Periodic Report of case.	0.10	300.00	30.00
7/13/2020	JAS	Reviewed email from Trustee regarding plan completion.	0.10	300.00	30.00
12/30/2020	NAC	Call from client talked about case not working	0.10	255.00	25.50
12/30/2020	CSN	Drafted email to client, stating payments need to increase and discussing purchasing a car.	0.10	90.00	9.00
2/9/2021	CSN	Drafted email to clients, asking they call as soon as possible.	0.10	90.00	9.00
3/17/2021	JAS	Reviewed email from trustee's office with attached periodic report of case.	0.10	300.00	30.00
11/5/2021	SMD	Call with client, stating husband is retiring and that they need to do plan mod.	0.10	215.00	21.50
11/22/2021	SMD	Review of additional debtor paystubs	0.10	215.00	21.50
11/22/2021	SMD	Review of Debtor's paystubs for plan mod	0.10	215.00	21.50
11/22/2021	SMD	Drafted email to client showing Ch 13 financials breakdown	0.10	215.00	21.50
12/1/2021	SMD	Call with client regarding paystubs	0.10	215.00	21.50
2/25/2022	SMD	Drafted email to trustee's office, stating amendment has already been made.	0.10	215.00	21.50
3/16/2022	SMD	Call to client regarding delinquency	0.10	215.00	21.50
3/23/2022	SMD	Reviewed Trustee system for payoff. Call to client regarding paying off case.	0.40	215.00	86.00
3/30/2022	SMD	Reviewed that payment of \$9500 Dollars was made to trustee Krispen Carroll	0.10	215.00	21.50
3/30/2022	SMD	Reviewed email from trustee's office, asking for the correct payment amount to make.	0.10	215.00	21.50
3/30/2022	SMD	Call to client regarding the establishment of a payoff figure	0.10	215.00	21.50
4/8/2022	SMD	Reviewed email from trustee's office, stating the trustee will now be filing a motion to dismiss.	0.10	215.00	21.50
<b><i>SUBTOTAL Case Administration</i></b>				<b>2.60</b>	<b>576.00</b>
<b><i>Claims Administration</i></b>					
9/22/2017	NAC	Review of Insurance letter	0.20	255.00	51.00
9/22/2017	NAC	Review of Claim # 221133K63	0.10	255.00	25.50

10/11/2017 JAS	Review of Proof of Claim filed by Credit Acceptance Corp	0.10	300.00	30.00
4/30/2018 TDP	Review of Notice of Mortgage Decrease Payment Change Filed by Creditor RoundPoint Mortgage Servicing Corporation	0.10	90.00	9.00
8/27/2018 TDP	Review of Notice of Creditor Mountain Top Service Address Change	0.10	90.00	9.00
4/12/2019 TDP	Review of Notice of Mortgage Increase Payment Change Filed by Creditor RoundPoint Mortgage Servicing Corporation	0.10	90.00	9.00
3/5/2020 TDP	Review of Notice of Mortgage Increase Payment Change Filed by Creditor RoundPoint Mortgage Servicing Corporation	0.10	90.00	9.00
6/4/2021 TDP	Review of Transfer of Claim Transfer Agreement 3001 To Freedom Mortgage Corporation	0.10	90.00	9.00
6/7/2021 TDP	Review of Notice of Mortgage Decrease Payment Change Filed by Creditor Freedom Mortgage Corporation	0.10	90.00	9.00
3/2/2022 TDP	Review of Notice of Mortgage Payment Change Filed by Creditor Freedom Mortgage Corporation	0.10	90.00	9.00
	<b><i>SUBTOTAL Claims Administration</i></b>	<b>1.10</b>		<b>169.50</b>
	<b><i>Fee Application</i></b>			
4/9/2022 NAC	Preparation of Application for Fees	0.20	255.00	51.00
	<b><i>SUBTOTAL Fee Application</i></b>	<b>0.20</b>		<b>51.00</b>

**SUMMARY**

<i>Case Administration</i>	<b>2.60</b>	<b>576.00</b>
<i>Claims Administration</i>	<b>1.10</b>	<b>169.50</b>
<i>Fee Application</i>	<b>0.20</b>	<b>51.00</b>
<b>TOTALS</b>	<b>3.90</b>	<b>\$ 796.50</b>

STAFF SUMMARY	Hours	Rate	Total
John A. Steinberger	0.6	300.00	180.00
Noel A. Cimmino	0.8	255.00	204.00
Stephen M. Duronio	1.5	215.00	322.50
Connie S. Newlin	0.3	90.00	27.00
Trinyette D. Peace	0.7	90.00	63.00

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**IN THE MATTER OF:**

**Dannie and Carol Banks**

Debtor(s) /

**Case No. 17-41836  
Judge Mark A. Randon  
Chapter 13**

**ORDER APPROVING SECOND FEE APPLICATION**

This matter having come before the Court upon the application of **John A. Steinberger & Associates, P.C.**, for additional fees from debtor's estate pursuant to LBR 2016-1 and all required parties having been served with notice of the application and the provisions of L.B.R. 2016-1 (E.D.M.) having been met. No objection to the application was timely filed, and a certification of no response has been filed. The Court has reviewed the application and is advised in the premises.

**IT IS HEREBY ORDERED:**

The Court previously approved Applicant's fees and expenses in the amount of: **\$5,006.00**

The Court grants Applicant's current fee application as follows:

THIS AWARD FOR FEES:	<b>\$796.50</b>
THIS AWARD FOR COSTS:	<b>\$0.00</b>
<b>TOTAL THIS AWARD:</b>	<b><u>\$796.50</u></b>

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AMOUNT OF THIS AWARD TO BE PAID DIRECTLY BY DEBTOR:	<b>\$0.00</b>
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AMOUNT OF THIS AWARD TO BE PAID DIRECTLY BY TRUSTEE:	<b>\$796.50</b>
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2. This award covers services rendered and expenses incurred from  
**September 9, 2017 to April 9, 2022.**

**Exhibit 1**

**United States Bankruptcy Court**  
**Eastern District of Michigan**

In re **Dannie Lamar Banks**  
**Carol Elcock Banks**

Debtor(s)

Case No. **17-41836**  
Chapter **13**

**STATEMENT OF ATTORNEY FOR DEBTOR(S)**  
**PURSUANT TO F.R.BANKR.P. 2016(b)**

The undersigned, pursuant to F.R.Bankr.P. 2016(b), states that:

1. The undersigned is the attorney for the Debtor(s) in this case.
2. The compensation paid or agreed to be paid by the Debtor(s) to the undersigned is: [Check one]

**FLAT FEE**

- A. For legal services rendered in contemplation of and in connection with this case, exclusive of the filing fee paid .....
- B. Prior to filing this statement, received .....
- C. The unpaid balance due and payable is .....

**RETAINER**

- A. Amount of retainer received ..... **500.00**

B. The undersigned shall bill against the retainer at an hourly rate of \$ **300.00**. [Or attach firm hourly rate schedule.] Debtor(s) have agreed to pay all Court approved fees and expenses exceeding the amount of the retainer.

3. **\$ 310.00** of the filing fee has been paid.

4. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including: [Cross out any that do not apply.]

- A. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- B. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
- C. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- D. ~~Representation of the debtor in adversary proceedings and other contested bankruptcy matters;~~
- E. ~~Reaffirmations;~~
- F. ~~Redemptions;~~
- G. Other:

All terms of the retainer agreement between Debtor and Attorney are incorporated into this statement.

Debtor's counsel may file a fee application in lieu of the flat fee agreed upon at their discretion or by order of the court. Post confirmation for Ch 13 work is billed hourly at Debtor's counsel's prevailing rate and is not included in the flat fee retainer.

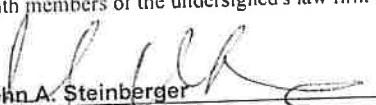
5. By agreement with the debtor(s), the above-disclosed fee does not include the following services:  
**Representation of the debtors in any dischargeability actions, judicial lien avoidances, relief from stay actions or any other adversary proceeding. Conversion to Chapter 7.**

6. The source of payments to the undersigned was from:

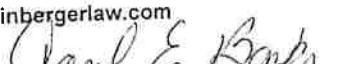
- A. **XX** Debtor(s)' earnings, wages, compensation for services performed
- B. \_\_\_\_\_ Other (describe, including the identity of payor) \_\_\_\_\_

7. The undersigned has not shared or agreed to share, with any other person, other than with members of the undersigned's law firm or corporation, any compensation paid or to be paid except as follows:

Dated: June 26, 2017

  
/s/ John A. Steinberger  
Attorney for the Debtor(s)  
John A. Steinberger P30812  
John A. Steinberger & Associates P.C.  
17515 West Nine Mile Rd.  
Suite 420  
Southfield, MI 48075  
248-559-4055 john@steinbergerlaw.com

Agreed: /s/ Dannie Lamar Banks   
Dannie Lamar Banks  
Debtor

  
/s/ Carol Elcock Banks  
Carol Elcock Banks  
Debtor

### **BIOGRAPHICAL STATEMENT OF JOHN A. STEINBERGER**

1. **Educational Achievements**
  - a. Bachelor of Arts, University of Michigan, 1975
  - b. Juris Doctorate, Wayne State University, 1979
2. **Professional Memberships and Associations**
  - a. State Bar of Michigan, 1979
  - b. United States District Court for the Eastern District of Michigan, 1979
  - c. Consumer Bankruptcy Association
  - d. Detroit Federal Bar Association
3. **Experience**
  - a. Specialized in the practice of consumer bankruptcy and have represented both Debtors and Creditors in Chapter 7's and 13's. Have handled all aspects of the filing of Chapter 7's and 13's including consultations with clients to review their financial condition, preparation of schedules, plans, Motions to Modify Plans, Statement of Purpose, Motions to Incur Debt, Motions to sell assets, attendance at First Meeting of Creditors, Confirmation Hearings, Motions to Dismiss, Motions to Lift Stay, Objections to Confirmation, Depositions and trials regarding Adversary Proceedings. Over the last ten years the practice has concentrated on representing Debtors only.
  - b. Estimated number of Bankruptcies filed from 1979 to 2011: over 12,000.

### **BIOGRAPHICAL STATEMENT OF NOEL AARON CIMMINO**

1. **Educational Achievements**
  - a. Bachelor of Arts, University of Michigan, 1994
  - b. Juris Doctorate: University of Miami, 1997
2. **Professional Memberships and Associations**
  - a. The Florida Bar, 1998
  - b. State Bar of Michigan, 2000
  - c. United States District Court for the Eastern District of Michigan, 2002
  - d. Consumer Bankruptcy Association
  - e. Detroit Federal Bar Association
3. **Experience**
  - a. Specialized in the practice of Debtor representation in consumer bankruptcy cases since 2002. Have handled all aspects of the filing of Chapter 7's and Chapter 13's including consultations with clients to review their financial condition, preparation of schedules, plans, Motions to Modify Plans, Statement of Purpose, Motion to Incur Debts, Motions to sell assets, attendance at First Meeting of Creditors, Confirmation Hearings, Motions to Dismiss, Motions to Lift Stay, Objections to Confirmation, Depositions and trials regarding Adversary Proceeding.

### **BIOGRAPHICAL STATEMENT OF STEPHEN M. DURONIO**

1. **Educational Achievements**
  - a. Bachelor of Arts, Michigan State University 2012
  - b. Juris Doctorate: Thomas M. Cooley Law School, 2015
2. **Professional Memberships and Associations**
  - a. State Bar of Michigan, 2017
  - b. United States District Court for the Eastern District of Michigan, 2020
3. **Experience**
  - a. Specialized in the practice of Debtor representation in consumer bankruptcy cases since 2019. Have handled all aspects of the filing of Chapter 7's and Chapter 13's including consultations with clients to review their financial condition, preparation of schedules, plans, Motions to Modify Plans, Statement of Purpose, Motion to Incur Debts, Motions to sell assets, attendance at First Meeting of Creditors, Confirmation Hearings, Motions to Dismiss, Motions to Lift Stay and Objections to Confirmation.

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN THE MATTER OF:

Dannie and Carol Banks

Case No. 17-41836  
Judge Mark A. Randon  
Chapter 13

Debtor(s) /

**NOTICE OF APPLICATION FOR FEES**

Debtor(s) counsel has filed papers with the court for fees of **\$796.50** and expenses of **\$0.00** and there is a balance of the retainer on hand with the applicant of **\$0.00**.

Note: The application is available for public review at the Clerk's Office, 21<sup>st</sup> Floor, U.S. Bankruptcy Court, 211 West Fort Street, Detroit, Michigan, Monday through Friday, 8:30a.m. to 4:00p.m.

**Your rights may be affected. You should read these papers over carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to grant the Motion for Additional Fees, or if you want the court to consider your views on the motion, within 14 days, you or your attorney must:

1. File with the court a written response or an answer that complies with F.R.C.P. (8)(b), (c) and (e), explaining your position at: **United States Bankruptcy Court 211 W. Fort Street, Suite 2100, Detroit, Michigan 48226**

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

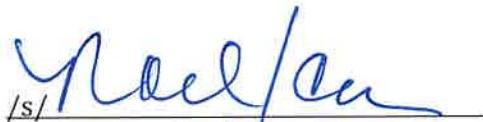
You must also mail a copy to:

John A. Steinberger & Associates, P.C., 17515 W. Nine Mile Rd., Ste. 420, Southfield, MI 48075

TRUSTEE: Krispen S. Carroll, 719 Griswold Street, 1100 Chrysler House, Detroit, MI 48226

2. If a response or answer is timely filed and served, the clerk will schedule a hearing on the motion and you will be served with a notice of the date, time and location of the hearing.

**If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting relief.**



/s/  
Noel Aaron Cimmino (P61176)  
John A. Steinberger & Associates, P.C.  
17515 W. Nine Mile Rd., Ste. 420  
Southfield, MI 48075 (248) 559-4055  
noel@steinbergerlaw.com